

## **210.720 Charge for board of patients -- Method of establishing.**

- (1) Every patient admitted to a facility operated or utilized by the cabinet, except prisoners transferred pursuant to KRS 202A.201, shall be charged for their board, maintenance and treatment pursuant to this section and the cabinet may sue in the Franklin Circuit Court or Franklin District Court to recover from the patient or person responsible for the patient for liability as established by this section.
- (2) The secretary shall fix the patient cost per day for board, maintenance and treatment for each facility operated by the cabinet at frequent intervals which shall be the uniform charge for all persons receiving such services.
- (3) The liability of any patient, or person responsible for the patient, for payment of the charge for board, maintenance and treatment shall be based upon ability to pay by ascertaining the entire financial resources available to the patient, or to the person responsible for the patient, and shall include, but shall not be limited to: insurance, all third party coverage including Medicare and Medicaid and other governmental programs, cash, stocks, bonds, and all other property owned by the patient or controlled by the person responsible for the patient. The secretary shall establish a reasonable means test for determining payment liability of patients and persons responsible for patients. In no event shall liability be in excess of the cost per patient per day established by the secretary.
- (4) Nothing in KRS 210.710 to 210.760 shall be construed to limit any liability of insurance companies or other third party payors including Medicare and Medicaid and other governmental programs.

**Effective:** July 1, 1982

**History:** Amended 1982 Ky. Acts ch. 247, sec. 7, effective July 15, 1982; and ch. 445, sec. 41, effective July 1, 1982. -- Created 1978 Ky. Acts ch. 278, sec. 3, effective June 17, 1978.

**Legislative Research Commission Note.** This section was amended by two 1982 Acts which do not appear to be in conflict and have been compiled together.

**Legislative Research Commission Note.** This section was amended in 1982 Acts chapter 445, which contains the following language in Section 45 of that Act: "This Act shall become effective on July 1, 1982." The Ky. Constitution, in Section 55 requires that a reason be set forth for the emergency. However, no reason is set for the in this Act. If the court should determine that the emergency clause is ineffective, the effective date for this section is 7/15/82.